

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Nicholas Charles Headden

Docket No. 7:11-CR-60-1H

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Nicholas Charles Headden, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute a Quantity of Marijuana, 21 U.S.C. §§ 841(a)(1) and 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on October 12, 2011, to the custody of the Bureau of Prisons for a term of 27 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. The defendant shall not possess a firearm, destructive device, or any dangerous weapon.
5. The defendant shall pay a \$100 special assessment.

Nicholas Charles Headden was released from custody on January 17, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted a urine screen which revealed positive results for marijuana on May 21, 2013. Upon questioning, the releasee admitted to relapsing and smoking marijuana in recent weeks. He gave a written statement that he knew it was wrong and needed to stop. The releasee submitted a second urine screen which revealed positive results for marijuana on June 21, 2013. The releasee admitted to smoking marijuana on June 13, 2013. He stated he had smoked marijuana since he was 15 years old and he liked that it helped him relax. We discussed the pros and cons of using

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marijuana and the releasee admitted he needed to stop and stated that he would refrain from future use.

The releasee was admonished for his behavior and referred to Coastal Horizons for substance abuse treatment and drug education. The releasee is employed full time and was recently promoted to kitchen manager at the restaurant where he works. He is married and he and his wife have three children. In summary, the releasee is doing well except for his recent drug use. It is recommended the releasee's conditions be modified to include a cognitive behavioral therapy program. This program should educate the releasee on how to make better decisions in life and hopefully deter future drug use.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall participate in a cognitive behavioral program as directed by the probation office.

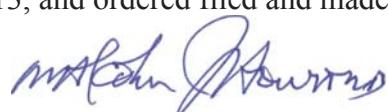
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: June 21, 2013

ORDER OF COURT

Considered and ordered this 24th day of June 2013, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge